

SENATE BILL 252

C8, P2
SB 215/11 – FIN

2lr1348
CF HB 213

By: **Senator Jones–Rodwell**

Introduced and read first time: January 25, 2012

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Community Enhancement Transit–Oriented Development**
3 **Fund**

4 FOR the purpose of establishing the Baltimore City Community Enhancement
5 Transit–Oriented Development Fund for certain purposes; providing that the
6 Fund is a special, nonlapsing fund; providing for the contents and uses of the
7 Fund; requiring that a certain portion of certain revenues from certain projects
8 and certain other money be paid into the Fund; requiring the Comptroller to
9 pay certain money from the Fund to the Mayor and City Council of Baltimore
10 City in a certain manner; authorizing the Mayor and City Council to use or
11 make awards of money received from the Fund for certain purposes; requiring
12 the State Treasurer to invest the money in the Fund in a certain manner;
13 stating certain findings of the General Assembly; providing for the application
14 of this Act; providing for the purposes of certain provisions of this Act; defining
15 certain terms; and generally relating to the Baltimore City Community
16 Enhancement Transit–Oriented Development Fund.

17 BY repealing and reenacting, without amendments,
18 Article – Economic Development
19 Section 1–101(e)
20 Annotated Code of Maryland
21 (2008 Volume and 2011 Supplement)

22 BY adding to
23 Article – Economic Development
24 Section 15–101 through 15–107 to be under the new title “Title 15. Baltimore
25 City Community Enhancement Transit–Oriented Development Fund”
26 Annotated Code of Maryland
27 (2008 Volume and 2011 Supplement)

28 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement
 2 Section 10–306
 3 Annotated Code of Maryland
 4 (2009 Replacement Volume and 2011 Supplement)

5 BY repealing and reenacting, without amendments,
 6 Article – Transportation
 7 Section 7–101(m)
 8 Annotated Code of Maryland
 9 (2008 Replacement Volume and 2011 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Economic Development**

13 1–101.

14 (e) (1) “Qualified distressed county” means a county with:

15 (i) an average rate of unemployment for the most recent
 16 24–month period for which data are available that exceeds 150% of the average rate of
 17 unemployment for the State during that period; or

18 (ii) an average per capita personal income for the most recent
 19 24–month period for which data are available that is equal to or less than 67% of the
 20 average per capita personal income for the State during that period.

21 (2) “Qualified distressed county” includes a county that:

22 (i) no longer meets either criterion stated in paragraph (1) of
 23 this subsection; but

24 (ii) has met at least one of the criteria at some time during the
 25 preceding 24–month period.

26 **TITLE 15. BALTIMORE CITY COMMUNITY ENHANCEMENT TRANSIT-ORIENTED**
 27 **DEVELOPMENT FUND.**

28 **15–101.**

29 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 30 INDICATED.

31 (B) “FINANCIAL ASSISTANCE” MEANS A GRANT OR LOAN FROM THE
 32 FUND.

1 **(C) “FUND” MEANS THE BALTIMORE CITY COMMUNITY ENHANCEMENT**
2 **TRANSIT-ORIENTED DEVELOPMENT FUND.**

3 **(D) “QUALIFIED PROJECT AREA” MEANS A COMMUNITY THAT IS:**

4 **(1) LOCATED IN BALTIMORE CITY; AND**

5 **(2) DIRECTLY IMPACTED BY AND WITHIN 0.5 MILES OF THE**
6 **BOUNDARY OF A DEVELOPMENT THAT HAS BEEN DESIGNATED AS A**
7 **TRANSIT-ORIENTED DEVELOPMENT.**

8 **(E) “QUALIFIED RECIPIENT” MEANS AN ENTITY THAT IS BASED IN AND**
9 **SERVES A QUALIFIED PROJECT AREA AND IS:**

10 **(1) A NOT FOR PROFIT COMMUNITY-BASED ORGANIZATION THAT**
11 **HAS EXPERIENCE IN MAKING PHYSICAL, HUMAN CAPITAL, AND ECONOMIC**
12 **INVESTMENTS TO REBUILD COMMUNITIES; OR**

13 **(2) A COMMUNITY DEVELOPMENT CORPORATION.**

14 **(F) “TRANSIT-ORIENTED DEVELOPMENT” HAS THE MEANING STATED**
15 **IN § 7-101 OF THE TRANSPORTATION ARTICLE.**

16 **15-102.**

17 **(A) THE GENERAL ASSEMBLY FINDS THAT:**

18 **(1) WHILE STATE AND PRIVATELY FUNDED TRANSIT-ORIENTED**
19 **DEVELOPMENT IS PARAMOUNT AND NECESSARY FOR THE ORDERLY ECONOMIC**
20 **DEVELOPMENT OF THE STATE, SUCH DEVELOPMENT SHOULD BE PURSUED IN A**
21 **MANNER THAT EXTENDS BENEFITS TO AND MINIMIZES NEGATIVE IMPACTS ON**
22 **THE COMMUNITIES IN AND ADJACENT TO THE DEVELOPMENT;**

23 **(2) IN ORDER TO PRESERVE AND ENHANCE THE STATE’S DIVERSE**
24 **CULTURAL FABRIC IN COMMUNITIES AFFECTED BY TRANSIT-ORIENTED**
25 **DEVELOPMENT, IT IS ESSENTIAL FOR THE PUBLIC AND PRIVATE SECTORS TO**
26 **COOPERATE IN DEVELOPING PARTNERSHIPS THAT AIM TO STABILIZE SUCH**
27 **COMMUNITIES;**

28 **(3) IT IS MOST FRUITFUL TO SEEK COMMUNITY INPUT AND**
29 **INVOLVEMENT FROM ORGANIZATIONS IN AREAS AFFECTED BY**
30 **TRANSIT-ORIENTED DEVELOPMENT IN ORDER TO BEST ADDRESS THE**
31 **PHYSICAL, CULTURAL, AND ECONOMIC IMPACTS OF THE DEVELOPMENT; AND**

1 **(4) FOSTERING COMMUNITY-BASED INITIATIVES FOR**
2 **NEIGHBORHOOD STABILITY AND GROWTH IS IN THE PUBLIC INTEREST.**

3 **(B) THE PURPOSE OF THIS TITLE IS TO PROMOTE AND ASSIST**
4 **COMMUNITY-BASED INITIATIVES THAT ENHANCE NEIGHBORHOOD STABILITY**
5 **AND ECONOMIC GROWTH IN COMMUNITIES THAT ARE DIRECTLY IMPACTED BY**
6 **STATE- AND PRIVATELY FUNDED TRANSIT-ORIENTED DEVELOPMENT.**

7 **15-103.**

8 **THIS TITLE APPLIES ONLY IN BALTIMORE CITY.**

9 **15-104.**

10 **(A) THERE IS A BALTIMORE CITY COMMUNITY ENHANCEMENT**
11 **TRANSIT-ORIENTED DEVELOPMENT FUND.**

12 **(B) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT**
13 **TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

14 **15-105.**

15 **(A) THE PURPOSE OF THE FUND IS TO PROMOTE AND ASSIST**
16 **COMMUNITY-BASED INITIATIVES IN QUALIFIED PROJECT AREAS CONSISTENT**
17 **WITH THE PURPOSE OF THIS TITLE.**

18 **(B) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND**
19 **THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

20 **(C) (1) THE FUND CONSISTS OF:**

21 **(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
22 **FUND;**

23 **(II) PROCEEDS OF BONDS THAT ARE MADE AVAILABLE FOR**
24 **THE USE OF THE FUND, INCLUDING GENERAL OBLIGATION BONDS AND GRANT**
25 **ANTICIPATION REVENUE VEHICLES;**

26 **(III) MONEY MADE AVAILABLE FOR QUALIFYING USES BY THE**
27 **FUND FROM OTHER GOVERNMENTAL SOURCES, INCLUDING COMMUNITY**
28 **DEVELOPMENT BLOCK GRANTS AND THE MARYLAND TRANSPORTATION TRUST**
29 **FUND;**

1 (IV) CONTRIBUTIONS TO THE FUND MADE BY THE PRIVATE
2 DEVELOPERS OF THE RELEVANT TRANSIT-ORIENTED DEVELOPMENT;

3 (V) GROUND RENTS OR LAND SALE PROCEEDS IN
4 ACCORDANCE WITH § 10-306(C)(1) OF THE STATE FINANCE AND
5 PROCUREMENT ARTICLE;

6 (VI) PAYMENTS OF PRINCIPAL OF AND INTEREST ON LOANS
7 MADE UNDER THIS TITLE;

8 (VII) INVESTMENT EARNINGS OF THE FUND; AND

9 (VIII) ANY OTHER MONEY FROM ANY OTHER SOURCE, PUBLIC
10 OR PRIVATE, ACCEPTED FOR THE BENEFIT OF THE FUND.

11 (2) CONTRIBUTIONS TO THE FUND UNDER PARAGRAPH (1)(IV) OF
12 THIS SUBSECTION SHALL BE SEPARATELY ACCOUNTED FOR IN THE FUND SO
13 THAT THE REVENUE DERIVED FROM A DEVELOPMENT IN A PARTICULAR
14 QUALIFIED PROJECT AREA SHALL RETURN TO A QUALIFIED RECIPIENT IN THAT
15 QUALIFIED PROJECT AREA.

16 (3) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
17 COMPTROLLER SHALL:

18 (I) PAY MONEY IN THE FUND IN ANNUAL INSTALLMENTS TO
19 THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY; AND

20 (II) ENSURE THAT THE MONEY IN THE FUND IS
21 DISTRIBUTED IN THE MANNER THAT BEST ACCOMPLISHES THE PURPOSE OF
22 THE FUND UNDER THIS TITLE.

23 15-106.

24 THE FUND MAY BE USED BY THE MAYOR AND CITY COUNCIL OF
25 BALTIMORE CITY OR AWARDED TO A QUALIFIED RECIPIENT BY THE MAYOR
26 AND CITY COUNCIL ONLY FOR:

27 (1) OPERATING SUPPORT FOR OR BUILDING THE CAPACITY OF
28 QUALIFIED RECIPIENTS;

29 (2) ECONOMIC AND PHYSICAL IMPROVEMENTS TO THE
30 COMMUNITY THROUGH PROJECTS THAT REINVEST IN AND REVITALIZE THE
31 COMMUNITY;

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1 (i) The Secretary, after considering a recommendation of the
2 Smart Growth Subcabinet established under § 9-1406 of the State Government
3 Article; and

4 (ii) The local government or multicounty agency with land use
5 and planning responsibility for the relevant area.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2012.